

**MINUTES**

**OF THE**

**MARCH 29, 2018 SPECIAL MEETING**



**OF THE**

**OKLAHOMA WORKERS' COMPENSATION COMMISSION**

## **STATEMENT OF OKLAHOMA OPEN MEETING LAW COMPLIANCE**

Notice of this Special Meeting was filed with the Secretary of State's office on March 8, 2018 at 3:10 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 North Stiles Avenue, Oklahoma City, Oklahoma, the Commission's principal office.

## **MINUTES OF THE MARCH 29, 2018 SPECIAL MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION**

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Avenue, Oklahoma City, Oklahoma, on March 29, 2018.

Members present: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

Others in attendance on behalf of the Commission: Tish Sommer, Lindsey Christopher, Stormy Moore, Collin Fowler, Dana Esparza and Virginia Forshee.

After the roll was taken, Chairman Liotta announced the presence of a quorum. The meeting was called to order at approximately 1:30 p.m.

### **Approval of Minutes**

Chairman Liotta presented the minutes of the March 14, 2018 and March 15, 2018 public meetings for approval.

**Motion:** Commissioner Tilly moved to approve the minutes of the March 14, 2018 and March 15, 2018 public meetings.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, Commissioner Tilly.

***The motion carried.***

### **1. Discussion and Consideration of Adoption of Proposed Changes to the Commission's Permanent Rules**

The Commission considered adopting proposed changes to its permanent rules. If the proposed changes are adopted and submitted for legislative review on or before April 1, 2018, the Legislature will have until the end of the 2018 legislative

session to approve or disapprove the rules. The permanent rules will become effective ten (10) calendar days after publication in The Oklahoma Register.

Commission Appellate Counsel, Lindsey Christopher was recognized to report and make a recommendation. She responded to questions of the Commissioners and recommended adoption of the rules as modified. The proposed rule changes were presented for action by the Commission.

**Motion:** Commissioner Tilly moved to adopt the proposed changes to the Commission's permanent rules as modified, with correction of a scrivener's error in Rule 810:10-5-66(e).

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

## **2. Discussion and Consideration of Adoption of Proposed Changes to the Commission's Forms**

The Commission considered proposed revision, adoption or repealer of the following forms as noted below. The proposed forms may be viewed on the website at [www.ok.gov/wcc/Legal/Proposed\\_Rules\\_and\\_Forms\\_/index.html](http://www.ok.gov/wcc/Legal/Proposed_Rules_and_Forms_/index.html). The Commission's current forms may be viewed on the Commission's website at <https://ok.gov/wcc/Forms/Forms/index.html>.

### **REVISION**

- [CC-Form-2](#)
- [CC-Form-2A Extension](#)
- [CC-Form-2A](#)
- [CC-Form-3](#)
- [CC-Form-3A](#)
- [CC-Form-3B](#)
- [CC-Form-3C](#)
- [CC-Form-3F](#)
- [CC-Form-4](#)
- [CC-Form-5](#)
- [CC-Form-9](#)
- [CC-Form-10](#)
- [CC-Form-10A](#)
- [CC-Form-10C](#)
- [CC-Form-13](#)
- [CC-Form-20](#)
- [CC-Form-36](#)
- [CC-Form-40](#)
- [CC-Form-71](#)
- [CC-Form-93](#)

- CC-Form-99
- CC-Form-100
- CC-Form-300
- CC-Form-A
- CC-Form-M
- CC-Form-V
- CC-Joint Petition
- Death Claim Settlement Order
- Form-SI Employer
- Form-SI Group
- Form-SI-TPA
- Form JP-APPENDIX
- MFDR Form 10M
- MFDR Form 19
- Proposed WC Premium Tax Report Form

#### **ADOPTION**

- CC-Form-50 Medical Interlocutory Order Request Form

#### **REPEALER**

- CC-Form-211 Request for Review of Adverse Benefit Determination
- Subject Line Detail Authorization

Commission Appellate Counsel, Lindsey Christopher was recognized to report and make a recommendation. The proposed form changes were presented for action by the Commission.

**Motion:** Commissioner Tilly moved to adopt the proposed changes to the forms as set out in the agenda, but moved to repeal rather than amend the WC Premium Tax Report form.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

### **3. Discussion and Possible Action Regarding Finalization of a Job Description for the Previously Approved Creation of a General Counsel Position and Advertising for the Position**

The Commission discussed and considered finalizing a job description and advertising the opening for the previously approved new position of General Counsel.

Commission Chairman Mark Liotta reported and gave a recommendation for approving the proposed job description and advertising for the position of General Counsel.

**Motion:** Commissioner Russell moved to approve the job description and advertise for the position of General Counsel, as recommended by Commissioner Liotta.

**Second:** Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**4. Possible Executive Session Pursuant to Title 25 O.S., § 307(B)(1) for the purpose of discussing the hiring, salary or employment of Candidate A, Candidate B, Candidate C, Candidate D, Candidate E, Candidate F, Candidate G, Candidate H, Candidate I, Candidate J, Candidate K, Candidate L, Candidate M, Candidate N, Candidate O, Candidate P, or Candidate Q for the position of Executive Director.**

**A. Motion and Vote to:**

Go into Executive Session under Title 25 O.S. § 307(B)(1) for purposes of discussing the hiring, salary or employment of Candidates listed in Agenda Item 3 for the position of Executive Director.

**Motion:** Commissioner Tilly moved to go into Executive Session.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**B. Motion and Vote to Reconvene in Open Session**

**Motion:** Commissioner Tilly moved to reconvene in Open Session.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**C. Motion resulting from Executive Session**

**Motion:** Commissioner Russell moved to select Candidate A for the position of Executive Director, as discussed in Executive Session.

**Second:** Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried.**

**5. Announcements**

The Commission's next special meeting is on Friday, March 30, 2018. The Commission's next regularly scheduled business meeting is on Thursday, April 19, 2018.

**ADJOURNMENT.....Chairman Liotta**

**Motion:** Commissioner Tilly moved to adjourn.

**Second:** Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

**The motion carried. The meeting adjourned.**